

8-203. ELECTION OF COVERAGE.

(A) BY EMPLOYER.

AN EMPLOYER MAY SUBMIT TO THE SECRETARY A WRITTEN ELECTION THAT EMPLOYMENT THAT OTHERWISE IS NOT COVERED UNDER THIS TITLE IS COVERED EMPLOYMENT IF:

(1) PAYMENTS ARE NOT REQUIRED FOR THE EMPLOYMENT UNDER AN UNEMPLOYMENT INSURANCE LAW OF ANOTHER STATE OR THE FEDERAL GOVERNMENT; AND

(2) THE EMPLOYMENT IS PERFORMED FOR THE EMPLOYER BY AN INDIVIDUAL IN A DISTINCT ESTABLISHMENT OR PLACE OF BUSINESS.

(B) APPROVAL OF SECRETARY.

(1) THE SECRETARY SHALL APPROVE OR DISAPPROVE THE ELECTION IN WRITING.

(2) IF THE SECRETARY APPROVES AN ELECTION, THE EMPLOYMENT INCLUDED IN THE ELECTION SHALL BE COVERED EMPLOYMENT FROM THE DATE STATED IN THE APPROVAL.

(C) DURATION OF ELECTION.

AN ELECTION UNDER THIS SUBSECTION SHALL BE FOR AT LEAST 2 CALENDAR YEARS.

(D) APPLICATION OF CERTAIN PROVISIONS.

THE PROVISIONS OF § 8-909 OF THIS TITLE WITH RESPECT TO RIGHTS TO BENEFITS BASED ON SERVICE FOR STATE AND NOT FOR PROFIT INSTITUTIONS OF HIGHER EDUCATION SHALL APPLY TO SERVICE THAT IS COVERED EMPLOYMENT UNDER AN ELECTION UNDER THIS SECTION.

(E) TERMINATION OF COVERAGE.

THE EMPLOYMENT SHALL CEASE TO BE COVERED EMPLOYMENT AS OF JANUARY 1 OF THE CALENDAR YEAR FOLLOWING THE END OF THE 2-CALENDAR YEAR PERIOD DURING WHICH THE EMPLOYMENT HAS BEEN COVERED IF, BY JANUARY 31 OF THAT YEAR:

(1) THE EMPLOYING UNIT HAS SUBMITTED A WRITTEN NOTICE OF TERMINATION TO THE SECRETARY; OR

(2) THE SECRETARY HAS GIVEN NOTICE OF TERMINATION OF THE COVERAGE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 9(a), § 9(b)(2), § 20(g)(3), and the second sentence of § 11(a).